

FILED

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RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

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12 THE HARMAN PRESS, on behalf of itself
 and all others similarly situated,
 13 Plaintiff,
 14 v.
 15 INTEL CORPORATION, a Delaware
 corporation,
 16 Defendant.

No. C-05-2823-MHP

STIPULATION AND [PROPOSED]
 ORDER TO STAY DATES, EVENTS
 AND DEADLINES PENDING THE
 OUTCOME OF THE MOTION TO
 TRANSFER AND COORDINATE OR
 CONSOLIDATE PURSUANT TO
 28 U.S.C. § 1407

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19 WHEREAS, on July 11, 2005, Plaintiff filed the instant action in the Northern
 20 District of California ("Harman Press Action");

21 WHEREAS, on or about July 11, 2005, the plaintiffs in *Brauch, et al. v. Intel*
 22 Corp.

No. C 05-2743 (BZ) (N. D. Cal., filed July 5, 2005), a related matter, moved before the
 23 Judicial Panel on Multi-District Litigation ("MDL"), to transfer and coordinate or consolidate for
 24 pre-trial proceedings pursuant to 28 U.S.C. § 407 ("MDL Motion"), and the Harman Press
 25 Action has been identified as a related action subject to that motion;

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1 WHEREAS, on or about July 27, 2005, Judge Patel issued a Related Case Order
2 relating this case to an earlier filed case assigned to her, and canceling or staying certain but not
3 all dates, events and deadlines in the action;

4 WHEREAS, to date, a decision has not been rendered on the MDL Motion;

5 WHEREAS, the outcome of the MDL Motion will impact significantly the
6 schedule of this case;

7 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,
8 by and among counsel for Plaintiff The Harman Press, and counsel for Defendant Intel
9 Corporation, that any events, dates or deadlines set by the Local Rules or Federal Rules of Civil
10 Procedure, including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules")
11 and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case
12 management order applicable to this case should be stayed pending the outcome of the
13 aforementioned MDL Motion; and

14 IT IS FURTHER STIPULATED by the aforementioned parties that if a case
15 management conference is rescheduled by the Court, the parties shall adjust the dates for any
16 conference, disclosures or reports required by the Local Rules or Federal Rules of Civil
17 Procedure, including the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26
18 accordingly.

19 IT IS HEREBY STIPULATED.

20 Dated: October 28, 2005

SAVERI & SAVERI

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By: _____ /s/ R. Alexander Saveri
R. Alexander Saveri
Attorneys for Plaintiff
The Harman Press

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1 Dated: October 28, 2005

BINGHAM McCUTCHEN LLP

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3 By: /s/ Joy K. Fuyuno
Joy K. Fuyuno
4 Attorneys for Defendant
Intel Corporation

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**[PROPOSED] ORDER TO STAY DATES, EVENTS AND DEADLINES
PENDING THE OUTCOME OF THE MDL MOTION**

3 Any events, dates or deadlines set by the Local Rules or Federal Rules of Civil
4 Procedure, including the Local Rules for Alternative Dispute Resolution (“ADR Local Rules”)
5 and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case
6 management order applicable to this case are hereby stayed pending the outcome of the motion
7 to transfer and coordinate or consolidate pursuant to 28 U.S.C. § 1407 (“MDL Motion”).

Upon the determination of the MDL Motion, if it is necessary for the Court to reschedule a case management conference, the parties shall adjust the dates for any conference, disclosures or reports required by the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26 accordingly.

12 The parties shall notify the Clerk of Court within 10 days of the decision on the
13 MDL Motion.

14 IT IS SO ORDERED.

15 Dated: _____

Honorable Marilyn H. Patel
United States District Court Judge

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